

Official Voter Information Guide

PROP 57 CRIMINAL SENTENCES. PAROLE. JUVENILE CRIMINAL PROCEEDINGS AND SENTENCING. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.

ARGUMENT IN FAVOR OF PROPOSITION 57

VOTE YES on PROPOSITION 57

California public safety leaders and victims of crime support Proposition 57—the Public Safety and Rehabilitation Act of 2016—because Prop. 57 focuses resources on keeping dangerous criminals behind bars, while rehabilitating juvenile and adult inmates and saving tens of millions of taxpayer dollars.

Over the last several decades, California's prison population exploded by 500% and prison spending ballooned to more than \$10 billion every year. Meanwhile, too few inmates were rehabilitated and most re-offended after release.

Overcrowded and unconstitutional conditions led the U.S. Supreme Court to order the state to reduce its prison population. Now, without a common sense, long-term solution, we will continue to waste billions and risk a court-ordered release of dangerous prisoners. This is an unacceptable outcome that puts Californians in danger—and this is why we need Prop. 57.

Prop. 57 is straightforward—here's what it does:

- Saves taxpayer dollars by reducing wasteful spending on prisons. • Keeps the most dangerous offenders locked up. • Allows parole consideration for people with non-violent convictions who complete the full prison term for their primary offense. • Authorizes a system of credits that can be earned for rehabilitation, good behavior and education milestones or taken away for bad behavior. • Requires the Secretary of the Department of Corrections and Rehabilitation to certify that these policies are consistent with protecting and enhancing public safety. • Requires judges instead of prosecutors to decide whether minors should be prosecuted as adults, emphasizing rehabilitation for minors in the juvenile system.

ARGUMENT AGAINST PROPOSITION 57

Proposition 57 will allow criminals convicted of **RAPE, LEWD ACTS AGAINST A CHILD, GANG-GUN CRIMES and HUMAN TRAFFICKING** to be released early from prison.

That's why Proposition 57 is OPPOSED by California Law Enforcement—District Attorneys, Sheriffs, Police, Courtroom Prosecutors, Crime Victims and local community leaders.

Here are the facts:

The authors of Proposition 57 claim it only applies to "non-violent" crimes, but their poorly drafted measure deems the following crimes "non-violent" and makes the perpetrators eligible for **EARLY PAROLE and RELEASE** into local communities:

- Rape by intoxication • Rape of an unconscious person • Human Trafficking involving sex act with minors • Drive-by shooting • Assault with a deadly weapon • Hostage taking • Attempting to explode a bomb at a hospital or school • Domestic violence involving trauma • Supplying a firearm to a gang member • Hate crime causing physical injury • Failing to register as a sex offender • Arson • Discharging a firearm on school grounds • Lewd acts against a child 14 or 15 • False imprisonment of an elder through violence. *partial list

Here are five more reasons to **VOTE NO** on 57:

- 1) 57 authorizes state government bureaucrats to reduce many sentences for "good behavior," even for inmates convicted of murder, rape, child molestation and human trafficking. 2) 57 permits the worst career criminals to be treated the same as first-time offenders, discounting strong sentences imposed by a judge. 3) "57 effectively overturns key provisions of Marsy's Law, '3-Strikes and You're Out,' Victims' Bill of Rights,

We know what works. Evidence shows that the more inmates are rehabilitated, the less likely they are to re-offend. Further evidence shows that minors who remain under juvenile court supervision are less likely to commit new crimes. Prop. 57 focuses on evidence-based rehabilitation and allows a juvenile court judge to decide whether or not a minor should be prosecuted as an adult.

No one is automatically released, or entitled to release from prison, under Prop. 57.

- To be granted parole, all inmates, current and future, must demonstrate that they are rehabilitated and do not pose a danger to the public.
- The Board of Parole Hearings—made up mostly of law enforcement officials—determines who is eligible for release.
- Any individuals approved for release will be subject to mandatory supervision by law enforcement.

And as the California Supreme Court clearly stated: parole eligibility in Prop. 57 applies *"only to prisoners convicted of non-violent felonies."*

Prop. 57 is long overdue.

Prop. 57 focuses our system on evidence-based rehabilitation for juveniles and adults because it is better for public safety than our current system.

Prop. 57 saves tens of millions of taxpayer dollars.

Prop. 57 keeps the most dangerous criminals behind bars.

VOTE YES on Prop. 57

www.Vote4Prop57.com

(<http://www.Vote4Prop57.com>)

EDMUND G. BROWN JR., Governor of California

MARK BONINI, President

Chief Probation Officers of California

DIONNE WILSON, widow of police officer killed in the line of duty

REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 57

The authors of Prop. 57 are not telling you the truth. IT APPLIES TO VIOLENT CRIMINALS, will increase crime and make you less safe. Vote NO.

Californians Against Sexual Exploitation Act—measures enacted by voters that have protected victims and made communities safer"—Susan Fisher, Former Chairwoman State Parole Board 4) 57 forces victims trying to put their lives back together to re-live the crimes committed against them over and over again, with every new parole hearing. 5) 57 will likely result in higher crime rates as at least 16,000 dangerous criminals, including those previously convicted of murder and rape, would be eligible for early release.

Finally, Prop. 57 places all these new privileges and rights for convicted criminals into the California Constitution, where they cannot be changed by the Legislature.

Make no mistake. If Prop. 57 passes, every home, every neighborhood, every school will be less safe than it is today.

Ask yourself these questions:

Should a criminal who RAPES AN UNCONSCIOUS PERSON be allowed early release from prison? How about a 50-year old child molester who preys on a child?

Should criminals convicted of HUMAN TRAFFICKING involving sex acts with a child, be allowed back on the streets before serving their full sentence?

Should a criminal who attempts to EXPLODE A BOMB at a hospital, school or place of worship, be allowed to leave prison early?

If you answered NO to these questions, then join District Attorneys, Courtroom Prosecutors, Police, Sheriffs, Crime Victims, Superior Court Judges and community leaders in voting NO on 57.

Violent crime was up 10% last year in California. Don't allow more violent and dangerous criminals to be released early. VOTE NO on 57.

MARTIN HALLORAN, President

San Francisco Police Officers Association

GEORGE HOFSTETTER, President

Association of Los Angeles Deputy Sheriffs

STEPHEN WAGSTAFFE, President

California District Attorneys Association

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 57

FACT: Prop. 57 authorizes **EARLY PAROLE** for a **RAPIST** who drugs and rapes a victim, because its authors call him non-violent.

FACT: Prop. 57 **AMENDS CALIFORNIA'S CONSTITUTION** to give these new early parole rights to criminals who are convicted of many violent and horrible crimes, including:

RAPE of an unconscious victim; **HUMAN SEX TRAFFICKING**; **ASSAULT** with a deadly weapon; **LEWD ACTS** against a 14-year-old; **HOSTAGE TAKING**; **HATE CRIMES** causing injury.

More FACTS:

- Thousands of dangerous criminals have already been released early. We are paying the price. The violent crime rate was up 10% last year and Rape up 37%.
- Prop. 57 would authorize the **IMMEDIATE RELEASE** of thousands of dangerous criminals.
- Those previously convicted of **MURDER, RAPE and CHILD MOLESTATION** would be eligible for early parole.
- *Releasing thousands of dangerous criminals will not save money.* In addition to the human costs of increased crime, counties and cities will be forced to hire more police, sheriff deputies, victim counselors and expand courts.
- *Prop. 57* overturns important provisions of the Crime Victims Bill of Rights, our 3-Strikes Law and Marsy's Law—strong measures enacted by voters.

The weakening of California's anti-crime laws has gone too far. Don't amend California's Constitution to give even more rights to criminals.

Crime Victims, Police, Sheriffs, Judges and Prosecutors urge a NO vote on 57.

HONORABLE JAMES ARDAIZ, Presiding Judge

5th District Court of Appeal (Ret)

SANDRA HUTCHENS, Sheriff

Orange County

COLLENE THOMPSON CAMPBELL,
Founder

Memory of Victims Everywhere

YES on Proposition 57

Opponents of Prop. 57 are wrong.

Prop. 57 saves tens of millions of taxpayer dollars by reducing wasteful prison spending, breaks the cycle of crime by rehabilitating deserving juvenile and adult inmates, and keeps dangerous criminals behind bars.

Don't be misled by false attacks. Prop. 57:

- Does **NOT** automatically release anyone from prison.
- Does **NOT** authorize parole for violent offenders. The California Supreme Court clearly stated that parole eligibility under Prop. 57 applies, "*only to prisoners convicted of non-violent felonies.*" (Brown v. Superior Court, June 6, 2016). Violent criminals as defined in Penal Code 667.5(c) are excluded from parole.
- Does **NOT** and will not change the federal court order that excludes sex offenders, as defined in Penal Code 290, from parole.
- Does **NOT** diminish victims' rights.
- Does **NOT** prevent judges from issuing tough sentences.

Prop. 57:

- **WILL** focus resources on keeping dangerous criminals behind bars.
- **WILL** save tens of millions of taxpayer dollars.
- **WILL** help fix a broken system where inmates leave prison without rehabilitation, re-offend and cycle back into the system.
- **WILL** be implemented through Department of Corrections and Rehabilitation regulations developed with public and victim input and certified as protecting public safety.

San Diego District Attorney Bonnie Dumanis—a Prop. 57 supporter—knows it is imperative to provide inmates with tools to stop the revolving door to prison. (*Daily Journal*, July 14, 2016).

And that makes our communities safer.

Join law enforcement officials, victims of crime and religious leaders: vote YES on Prop. 57.

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DIONNE WILSON, widow of police officer killed in the line of duty

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